

IS AGENT-REGRET RATIONAL?

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In “Moral Luck,” Bernard Williams introduces a peculiar sentiment that he calls “agent-regret.” For Williams, agent-regret is a distressing feeling that we supposedly experience toward the bad consequences of acts for which we are causally but not morally responsible. Williams famously asks us to consider a truck-driver (whom I’ll call ‘Larry’) who accidentally runs over a child who had suddenly darted out in front of him. Williams contends that we would expect Larry to experience something like self-reproach, even if his conduct was manifestly without fault (i.e, even if he was sober, driving attentively and at a safe speed in a vehicle that he had been kept in good repair, etc.). Williams argues that even though Larry is not objectively blameworthy, he should still in some way blame himself, and so be motivated to apologize, offer compensation, and generally make the kinds of reparative gestures characteristic of true contrition.¹

Williams’ discussion of agent-regret, and of moral luck more generally, is part of his broader Nietzschean critique of what he calls the “morality system.” This system involves a quasi-judicial understanding of morality in terms of general prohibitions and obligations, where the principle response to moral shortcoming is blame and such related attitudes as guilt, resentment, and indignation.² According to Williams, this picture serves as the backdrop for a variety of moral theories that otherwise have little in common. Utilitarianism is only a marginal member of this class, which Williams takes to find its purest, most seductive, and most nihilistic exemplar in Kant.

For Williams, part of what is wrong with “the morality system” is that it operates with a model of agency, reason and emotion that must dismiss agent-regret as an inherently confused or irrational attitude. Supposedly, the morality system permits us to respond to the badness of our own acts with either full-blooded remorse or mere regret. As Williams understands it, to experience ordinary mere regret is just to feel sorry that something has happened, without thinking of oneself as bearing any special causal or moral relationship to that misfortune. Once the truck-driver recognizes that he is not really at fault, he can still appreciate what a terrible thing has just happened, and so wish that it could have been avoided or now undone. Such regret abstracts away from the driver’s special role in this calamity. The regret he feels might be just as properly felt by bystanders or distant strangers hearing about this accident on the news.

In addition to such regrets, the morality system also allows for the possibility of remorse. Like agent-regret, remorse is only properly available to a person who caused (or at least had a hand in causing) the bad consequences. Such remorse differs from mere regret in that it involves the presumption, on the part of the person who feels it, that she is at blame for the misfortune, either through her acts or omissions. Part of what it is to feel remorse is to accept one’s culpability for some wrong, and so recognize a consequent need to make amends. Such remorse is not rationally available to bystanders or third-parties, no matter how strongly they may emotionally with the agent who has acted badly. To feel remorse is, in its central instances, to appreciate the wrongfulness of one’s own actions in a way that motivates the appropriate sort of reparative actions. Insofar as third-parties are not guilty of any wrong, they cannot rationally seek to be forgiven or otherwise make amends, if only because it is logically impossible for any act to count as their being forgiven or making amends in this context.

Agent-regret does not fit into this neat dichotomy between full remorse and mere regret. Like remorse, agent-regret is only properly felt by the person who performed the bad act; but like mere regret, agent-regret involves no presumption of fault. Williams seems to think that we should expect the driver to do something like blame himself, even though it may be obvious that he is not really blameworthy, so that it

¹ The need for reparative gestures often drops out of discussions of agent-regret, in part because it is so hard to see how to make sense of these gestures in the absence of objective culpability. See e.g., Wolf (2004), Wallace (2013), Tannenbaum (2007), Raz (2012), and Baron (1988).

² Williams (1985), ch. 10.

would be wrong for the rest of us to feel resentment toward him.³ Nevertheless, it seems that the driver should be moved to seek forgiveness, even though we would readily respond to his apologies by telling him that, since he is guilty of no wrong, there is nothing to forgive him for. Even though Larry is not blameworthy, we would find something profoundly amiss in him if he anticipated our judgment, and so realized that he does not need to be forgiven even before we so inform him. Strangely enough, here there seems to be something morally wrong with a person who has a clear-eyed appreciation of the moral facts of his situation, and whose emotions fully reflect this moral knowledge. In this case, the virtuous response seems instead to be one of confusion or irrationality.

Williams' point is not just that the experience of agent-regret in such situations is psychologically normal, such that any half-decent agent will probably continue to feel guilty despite coming to know that she is not really culpable. In addition, Williams argues these feelings and responses need not be confused or irrational in any way. Indeed, he goes so far as to insist that such that any notion of practical or moral rationality that ruled out agent-regret should be rejected for just that reason:

[I]t would be a kind of insanity never to experience sentiments of this kind towards anyone, and it would be an insane concept of rationality which insisted that a rational person never would. To insist on such a conception of rationality, moreover, would, apart from other kinds of absurdity, suggest a large falsehood: that we might, if we conducted ourselves clear-headedly enough, entirely detach ourselves from the unintentional aspects of our actions...and yet still retain our identity and character as agents.⁴

In this paper, I consider whether the morality system, by countenancing mere regret and full remorse but rejecting agent-regret, is really committed to anything absurd or insane. There is, after all, something very paradoxical about the claim that the driver really should blame himself if others with exactly the same beliefs about the situation should not similarly blame or resent him as well. If the difference between the driver's role in the accident and that of the bystanders is merely a matter of luck, why should the driver feel anything different in kind about the situation than they do?

Here it becomes tempting to explain agent-regret away as being nothing more than a confusion of different aspects of remorse and mere regret. After all, it is not difficult to give plausible accounts of why, even if agent-regret is fundamentally irrational, there might nevertheless be something morally and rationally suspect about someone who was completely impervious to it. As I will argue, the morality system can allow that some forms of irrationality may nevertheless be virtues, and that there can indeed be something morally objectionable about having an ethical sensibility that is too responsive to moral reason.

However, although Williams is wrong to conclude that the rejection of agent-regret commits us to something insane or inhuman, he is right to think that we should take our intuitions about agent-regret at something close to face-value. Although the case is not nearly as decisive as Williams thinks, there are good reasons to accept agent-regret as a rational, irreducibly first-personal attitude that resembles but is ultimately distinct from both ordinary regret and remorse. I will not argue that these reasons stem, as Williams holds, from the way a person's agency is always entangled with various powers and conditions that are beyond her control. Instead, the distinct rationality of agent-regret is grounded by another practical consequence of luck: the ineliminability of personal antagonism from human life.

³ David Enoch argues that agent-regret should be divorced from any feelings of blame or self-reproach, even though the agent should still feel that something like an apology is called-for. This seems to get the phenomenology of the experience wrong. Enoch focuses not on cases like that of Williams' lorry-driver, but instead of the way parents might feel compelled to take responsibility for the transgressions of their children, or how a citizen might take responsibility for the crimes of her country. However these latter cases seem to be about a different phenomenon from agent-regret, something closer to a compound of shame and standing surety (Enoch, 2012).

⁴ Williams (1981), p. 29

1. We often understand regret as a kind of self-reproach, which includes something like a retroactive commitment to deliberate or act differently.⁵ However, Williams construes this sentiment more narrowly, holding that mere regret rests only on the thought “*how much better had things been otherwise,*” along with some resulting wish that things had gone otherwise. Such a wish is not merely a preference with respect to past events; to regret something is not just to evaluate it but to care about in an engaged way, even if there is no hope of doing anything. On this view, we can regret some situation without having to presuppose that we stand in any particular causal relation to it, or any in relationship to the parties involved. We can feel regret for events that are completely and obviously beyond our influence, as those in the distant past. Here we might add that to feel such regret is to appreciate the *badness* of some aspect of action or event, and not merely the lack of goodness. On this view, there can be as many kinds of regrets as there might be ways of being moved by the perceived goodness or badness of some action or event; we can have morally-motivated regrets, or purely prudential ones, or aesthetic ones, etc. As Williams understands it, mere regret may involve the assignment of an impersonal value to a state of affairs, but it need not; I can regret something just because it was in some way bad for me or what I care without thinking that this makes for an overall worse state of affairs (or even that this latter notion makes sense).

For Williams, mere regret does not even require an idea of agency or responsibility: I might regret that the summer has been so hot, that human life is so short, or that God doesn’t exist. Although regret typically involves a wish that things had been or gone otherwise, but we can feel regret even for aspects of events that are logically necessary, or necessary conditions of something we greatly value. I might regret the fact that the circle cannot be squared or that my students cannot all be above the class average. I might similarly regret that my children cannot become independent adults and still remain my sweet little babies. I might rationally regret that I was conceived through rape or that my family was driven out of Russia even though these events were necessary for me and my children to exist.⁶ In these cases, my regret does not involve so much a desire that these events never happened or could be undone, as the wish that the bad aspects of these events could be divorced from the good ones, even when this isn’t metaphysically or even logically possible. Regret is fundamentally a matter of our wishes, and so the rational constraints on this attitude turn out to be very weak.⁷

In contrast, to feel remorse is, in part, to recognize that I am responsible for having chosen in a defective way, such that I did or really should have known better and so should really have done better. Normally, the sort of fault involved in remorse is a *moral* one, properly attracting the blame or resentment of others, and making intelligible further responses of apology, restitution, submission to punishment, etc. However, we also use “remorse” more broadly to capture other kinds of fault, such a prudential ones (as in the expression “buyer’s remorse”). What is common to both moral and non-moral instances of remorse is the sense that a certain kind of *reproach* is called-for, a challenge or demand that would normally carry overtones of anger, frustration, or disappointment (and which invites some corresponding kind of reply: excuse, justification, apology, counter-accusation). Even when I think I’ve merely done something stupid or thoughtless that affects only myself, I will be angry with myself, and be inclined to give myself a dope-slap, or wish I could give myself one in the past.

Remorse is an essentially first-personal attitude because, unlike regret, it involves more than just an evaluation of some action along with some motivational response to it. Rather, the difference between the thinking that “I have done wrong” (in remorse) and “he has done wrong” (in regret) is that in the former one changes one’s normative stance. That is, in remorse I do not just recognize the wrongness of my act and feel some way about it, I accept an obligation to provide recompense, offer apology, submit to punishment, accept forgiveness, etc. out of an appreciation that it is morally incumbent upon me. That is, I

⁵ cf. Wallace (2013)

⁶Here I depart from Wallace, who argues that to fully affirm what gives meaning to my life, I must also affirm, and so not regret, whatever was a necessary condition of what I care about. However, Wallace might allow that even if I cannot regret the rape by which I was conceived, I might still regret that the only way for me to be conceived was through such an act.

⁷ I suspect this is because wishing, like hoping or supposing, involves very little by way of commitment either with respect to future thought or action. Wishing and supposing have very little bearing on how I should proceed, and so afford little purchase for rational criticism.

do not merely come to believe that these responses are called for, that providing recompense or asking for forgiveness *should* become first premises in my practical reasoning (after all, third parties can come to the same conclusions about me as well). If I sincerely feel remorse, then I am in fact taking up such practical premises precisely because I see that that are appropriate, and so am in the process of drawing the appropriate practical conclusion in intention and action.⁸

A third party cannot feel remorse for my action because she cannot coherently be resolving for me to seek forgiveness because she appreciates my reason to do so; and although she can resolve to seek forgiveness herself, the reasons for me to do so are not reasons for her to do likewise. If this bystander is thinking clearly about the situation, she cannot be moved to apologize out of an appreciation of its moral necessity, simply because there is no such necessity, and so no possibility for her of any such knowledge or appreciation.⁹ Of course a third party might well come to the same judgment about the situation that I do: that DS should make amends. However, in her case the judgment is an essentially theoretical one, a judgment about what reasons apply to my situation. In remorse, this judgment is instead truly practical, taking the form of committing oneself to acting in a certain (and not just coming to a belief the would justify or generate such states).

For Williams, the first-personal character of agent-regret is much like that of remorse. To experience agent-regret is not merely to think that you have done something terrible and so wish you hadn't. In addition, in agent-regret we find ourselves moved to accept a certain responsibility to make amends, offer restitution or compensation, etc. Of course, here I might simply be thinking that the parents of the child should not have to bear the whole loss that issues from this cruel stroke of fortune. In such a case, I might well want to shoulder some portion of the burden, if only as a way to dilute their suffering, or show a kind of solidarity with them as a fellow creature exposed to luck. However, if this all there is to it than then the needed reparations might be just as well provided by a common insurance scheme (better, really, since it spreads the harm more broadly and acknowledge our common vulnerability to fate). However, Williams insists insofar as I am really experiencing agent-regret, I must feel compelled to amends or provide restitution personally; for Williams, no insurance-payments from a common fund could substitute for my own efforts, any more than some official statement from my department chair could satisfy my need to apologize to a student I have insulted.

2. Williams sometimes seems to think that the morality system allows us to be by any decision we make so long as it is not morally wrong. For example, some crude forms of utilitarianism might hold that although I should regret it being necessary to let one person die so as to save five others; I should no more reproach myself for doing so than if I had found a way to save four people who would otherwise have died. Williams seems willing to tar all of traditional moral theory with this brush:

[M]orality resists the notion of a moral cost, in the sense of a moral wrong knowingly committed by an agent who is doing something that even from a moral point of view is better: in that case, it will say, the wrong cannot ultimately be a wrong, the cost cannot really be a moral cost.¹⁰

⁸ I focus on remorse rather than guilt because, although these two emotions are very similar, there is an important difference in direction and emphasis between them. In remorse the agent focuses on her wrongful act, in a way that carries tones of recrimination or reproach. In guilt, the agent instead focuses on herself, and what she deserves because of the wrong she has committed. Guilt is more self-involved than remorse, sometimes objectionably so. We criticize others for wallowing in their guilt, but not their remorse.

⁹ Things might be different if we accepted something like a moral system of surety, where some individuals might be required to apologize or compensate for the wrongdoings of others, even when those individuals have no influence on what the latter do (see Enoch 2012). Perhaps something like may hold between people in particularly robust or intimate relationships, but it could hardly be thought to hold for complete strangers, since this would make everyone morally liable for whatever anyone else does, including wrongs to oneself. No coherent conception of moral responsibility could make it the case that I might end up having a duty to apologize or offer restitution to myself.

¹⁰ Williams (1995), p. 246.

However, we do not need to abandon the morality system to accept Williams' point that, even when moral dilemmas can be fully resolved, they may nevertheless leave a kind of moral "residue" or "remainder." It may be morally necessary for me to abandon my mother to join the resistance, or to allow one patient to die so as to save five more, or to punish my child for the cruel treatment of her sister. Since none of these things is wrong, I should not feel remorse, but this does not mean that I feel the same way I would about other morally unobjectionable acts such as brushing my teeth or doing a crossword-puzzle. In recognizing the moral reasons that are being overridden in these cases, I should experience some reluctance to do what I know to be morally required, even though I realize I am doing the right thing for the right reason, I must still act with compunction.

However, the persistence of such moral remainders does not show that the morality system must be rejected. Instead, we need only reject further Aristotelian thesis that the emotional responses of a fully virtuous agent must mirror her cognitive state; that is, if a person really appreciates the moral necessity of doing *f*, and so is truly of one mind about doing it, then she should thereby do *f* whole-heartedly; with pleasure or, at the very least, without pain or reluctance. This is indeed an implausible claim, but its implausibility has nothing to do with moral luck and the like. Rather, the problem with the Aristotelian thesis is its intellectualism, whereby it construes conflicts between practical or moral considerations to be like conflicts between epistemic reasons.¹¹

Moral remainders can have practical as well as affective significance. For example, even when we do what moral demands, we may thereby acquire further duties to respond to the people whose claims were overridden in a way that resemble apologizing and seeking forgiveness. Even when the doctor rightfully neglects one patient to tend to several others, she might thereby owe that first patient some explanation of why she took his needs to be less pressing, or to show that in my deliberations she really was according him equal respect as the others. The doctor might also have special reason to listen and respond to this patient's protests and objections, and not to feel affronted by the anger and frustration that he directs toward her. Here it may be appropriate that she does not defend herself against his accusations, but takes it upon herself to make extra efforts to help him in the future.

Yet despite appearances, such behavior need not express any kind of contrition for any supposed fault. After all, the situation is such that this patient might reasonably (although mistakenly) feel slighted or disrespected, where the doctor happens to find herself in a uniquely good position to mitigate these feelings without much sacrifice. Although the patient's anger is ultimately unjustified, it may be best to allow him to express it, and to allow his point-of-view to be seriously entertained even if it must be ultimately repudiated. With luck, the patient will eventually come to this conclusion himself, so long as we do not take it upon ourselves to try to correct him while he is still sorting out his thoughts and feelings.

Similarly, we might think that every time I (justifiably) neglect Bob in order to tend to the more pressing needs of Emily, Jerry, and Marcia, Bob's claim to be helped the next time gets stronger relative to theirs. We can understand this not as compensation for any wrong done Bob, but rather in terms of general considerations of fairness. The thought here might not be that I owe Bob restitution, but that there is some principle of just distribution that governs patterns of beneficence, such that the strength of my moral reasons to help someone must be sensitive not just to the immediate facts, but the history of my previous interactions with these people.

Williams claims that the proper object of agent-regret is the "unintended consequences of our intentional actions." So read, it seems plausible that to reject the rationality of this attitude is to pretend that our actions are nothing more than what we envision them to be, that they do not have a public reality, and real effects on others, that go beyond our own subjective perspective and control. But this characterization of agent-regret is misleading, since it suggests that remorse is only properly directed

¹¹ After all, a rational person cannot be reluctant to believe *p* because some piece of evidence against it so long as she is also convinced that the overall case in favor of *p* is decisive. Of course, some piece of counter-evidence, even though decisively outweighed, might still command our attention; we might indeed suffer from a kind of reluctance to believe what we admit has been merely established. Such doxastic reluctance might be understandable, but it cannot count as rational.

toward our intentional actions under the descriptions under which they were intended. However, we can feel remorse not just for our bad intentions, but for recklessness and negligence, even though the objectionable aspects of such behavior do not show up in our “maxims.” So long as we can be culpably ignorant, careless, or inattentive, we can rationally experience remorse (and with it duties of reparation) to those affected by our acts.

3. In “The Moral of ‘Moral Luck,’” Susan Wolf argues that agent-regret is best understood as the expression of a “nameless virtue” that concerns our practical acknowledge of the fact that our actions necessarily effect others in ways that always go beyond what we intend or foresee. For Wolf, agent-regret involves no real form of self-recrimination, but only an appreciation of the fact that we must act in a world that we share with others in ways that go beyond what we can know or control. Yet Wolf does not really explain why such an appreciation should take this particular form, or why it should only be limited to the bad effects that my actions produce, rather than those I simply fail to prevent. After all, just as my acts have causal dimensions beyond what I intend or realize, so too do my omissions. When then does the nameless virtue seem to focus more on the former rather than the latter?

Wolf also does not address whether the nameless virtue involves having any particular feelings of joy or satisfaction when the unintended aspects of our actions (or omissions) are particularly fortunate. Should I be particularly pleased when I turn out to be morally lucky this way in a way that is not equally available to others? Suppose that a child darts out in front of me as I’m riding my bike and, unable to stop, I knock him back onto the sidewalk, saving him from the truck right behind me that would have certainly killed him. In so doing, I am seriously injured in a way that would have made an intentional performance of this act supererogatory. An unintended result of my bike-riding is that the child is not killed, and it would certainly make sense for me to be glad to have brought this about. But am I properly to take anything like the pride or self-satisfaction in this event that I would if I had done so intentionally? Should I think that the parents of the child owe me any sort of gratitude or special attention or concern, as they would if I had intentionally made a great sacrifice to save their child?

Perhaps Wolf can fill in these details about the nameless virtue. However, by removing the element of self-recrimination (and with it the urge to make amends) it no longer seems clear that the nameless virtue is really something different than just a particular disposition to feel regret. If Larry possesses the nameless virtue then he will not simply be sorry that the accident happened, wishing as others might wish that the child had not been run over. In addition to such sorrow, Larry might also fervently wish that *he* had not been the one to run over the child, even though he knows that the running down of the child by him need not be a worse occurrence than the child being run down by someone else. Larry’s thought here is irreducibly reflexive: his wish is not that is not merely that the child had not been run down, or even that *Larry* had not run down the child (a perfectly natural expression of his attitude might be the wish that *he* was not *Larry*.) Rather, Larry wishes that *he* had not run down the child, whoever he might turn out to be.

However, this sort of essentially reflexive regret does not seem to be as tightly bound to the agent’s perspective as agent-regret is supposed to be. Admittedly, it would be odd for complete strangers for experience this kind of regret.¹² But if some of the bystanders were Larry’s friends or family they might similarly wish that someone other than Larry had been driving the truck, for essentially the same reason that Larry might wish this. Just as Larry might think “I wish I hadn’t been driving” those close to him might also have the thought “I wish *you* hadn’t been the driver.” Although Larry’s distinctively personal regret is tied to a special form of self-concern, it does not seem to require that those feeling it stand in any substantial agential relation to the unfortunate events. And just as the nameless virtue expresses a special concern for the unintended effects of my acts on others, it may similarly call on us to have such a concern for unintended effects of acts performed by other people whom I care about in a substantial way. Once it becomes detachable from the agent’s perspective, agent-regret is reduced to merely a personal and reflexive

¹² Such regrets could even become available to strangers if, for example, Bob was the protagonist of a reality television show or newspaper serious they had been following.

species of ordinary regret. Unlike agent-regret, such personal regret does not seem to call for any special reparative gestures to be directed to those harmed by our regrettable but actions.¹³

3. We can explain away agent-regret's semblance of rationality even without reducing it to personal regret. As Williams understand it, agent-regret involves a sense that the agent needs to make amends to those harmed by his actions, even though he is without fault. We might defend this intuition in much the way strict liability is accounted for in law. Although Larry did not choose badly (and so there is no reason for him to resolve to act differently in the future), he nevertheless knowingly engaged in some activity that created some risk of harm to others. Since Larry is has the right to decide whether or not to so act, will reap the benefits of so doing when all goes well, it seems that he should bear the lion's share of the cost should things go poorly. This assignment of liability is really only a matter of fairness in the distribution of risk and bad luck, without any sort of recriminatory aspect.

Although such considerations of fairness will bring us closer to agent-regret, they cannot be the full explanation. For Williams, agent-regret has an ineluctably personal aspect. Larry should feel that *he* needs to provide compensation, make amends, or offer an apology in a way that would not be served by some payments or announcements from a common insurance scheme or professional organization. In contrast, the demands of strict-liability seem to be merely part of the cost of doing business that would be well-covered by insurance. Perhaps it is Larry's premiums that should go up as a result, but not more personal a response seems to be called for.

Our sense that Larry should feel a need to make amends personally may well be grounded in concerns distinct from those of fairness. Instead, that sense may reflect our understanding of how hard it can be for the agent in such to be very confident that he is really not at fault. Even if the driver thinks that he was driving attentively and at a proper rate of speed, can trust his own assessment of his actions, given how much depends upon it? Most people realize that they have substantial bias in their own favor, and so should be highly reluctant to serve as judges in their own case. A morally decent driver would take seriously the possibility that he was at fault (even though he cannot actually identify how), and operate under that assumption until absolved of that suspicion by someone without similar biases.

In this case, the personal dimension of agent-regret turns out really to be a derivative of remorse. Although I do not believe that I was at fault, and certainly cannot identify how, I take seriously the possibility that I might be wrong about this, and so that I may have duties of repair etc. the I might failing to appreciate. In light of our natural tendency to exonerate ourselves, it may be reasonable for Larry to steer to the opposite extreme, and so assume that he is culpable until he is exonerated by those in a better position to judge.

Larry also has non-epistemic reasons to adopt a posture of contrition even though he sincerely believes himself guilty of no wrong, reasons that stem from what is morally at stake in his situation. Larry should realize that it would be much worse to actually be at fault, and fail to acknowledge it, apologize, or make some reparative gesture, than to make these gestures when then were not really needed. To deny people what they are owed is an injustice; to give them more than they deserve is usually a kindness. So even though Larry may think it highly likely that he is completely without fault, good sense will call on him to err on the side of moral caution, and offer apology or restitution, even though he thinks it really should be rejected.

This intuition is strengthened by the fact that, even if Larry is not at fault, it would not be inappropriate for the parents to blame him, at least not in the immediate aftermath of the accident. Even if such blame is not objectively warranted, we could not reasonably expect the parents to be able to appreciate or respond to this fact, and it would be cruel to criticize or correct them for doing so. Although their blame is unjustified, they are not themselves blameworthy for feeling or expressing it, just because it

¹³ Wallace embraces this position in *The View from Here*, where he argues that what is rational in agent-regret is really just this sort of personal regret. Tannenbaum and Raz reach similar conclusions. They argue that agent-regret is rational insofar as it involves an agent's pained awareness that her actions successfully live up to or express their own values or sense of themselves. Agent-regret then becomes, if not personal regret, a kind of disappointment with oneself. Any special focus on those affected by the regrettable acts has again dropped out.

would be unreasonable to ask anyone in such a situation to be able to think clearly about such matters. Even though there is objectively good reason for Larry to dismiss or reject their blame, he would in this case be objectively blameworthy for acting on those reasons. After all, there is no urgent need for the parent's views to be corrected, and doing so might deprive them of some small source of consolation or distraction in a terrible time. By giving the parents someone to blame, Larry may help mitigate the awful impotence of grief, which unlike other emotions does not direct us to deal with the world in some way, but must instead be passively endured.¹⁴

If this is right, than someone in Larry's position, although not really blameworthy (and so not properly remorseful) nevertheless has good moral reason to take the blame, to expose herself to such blame without protest in a way that largely mimics the position of the truly guilty person. The immediate aftermath of the accident is not the time to offer excuses, or plead for oneself, or to turn attention away from the primary calamity (the death of a child) onto the much less important question of what this properly means for the driver. In this case, causal proximity does make a difference, but only because of its psychological, not moral, consequences. For understandable reasons, the parents will tend to suspect or believe that the driver was at fault, and so Larry will be in a uniquely good position to take the blame until it becomes possible for them to think dispassionately about the accident.

This also would help explain why we demand agent-regret of the driver in the immediate aftermath of the accident, but think it would be appropriate for Larry's friends to console him by showing how it couldn't have been his fault, so that it would count as a kind of progress or improvement for his agent-regret to ultimately resolve into mere regret. Williams notes this fact, observing that what we demand of the driver is not permanent agent-regret, but that he start from such regret, as something he has to "work through" over time. In the immediate aftermath of an accident, Larry cannot really trust his belief that he is faultless, especially given the intensity of my emotions and self-serving biases. After a while, however, we would expect Larry to be able to more carefully and dispassionately reflect on their actions, gain more evidence, and entertain the counsel of others who are in a better position to assess fault.

These considerations show that, even if agent-regret is ultimately irrational, a susceptibility to such regret might still seem to be virtue. The truck driver's agent-regret shows a fairly robust appreciation of the interpersonal dimensions of his situation as well as the limits of his capacity for moral self-knowledge. An absence of agent-regret would be less evidence of a fully rational frame of mind than of the far more common vices of superficiality, complacency, and arrogance. Agent-regret would be not so much a virtue in its own right as response that shows other virtues are in play, albeit imperfectly. If we actually encounter someone who is immune to agent-regret it would seem much more like that this person is suffering from some more profound deficit in their moral sensibility than that they have transcended human nature.

4. To explain agent-regret without explaining it away, we need to make sense of the agent's need to personally make amends, despite the lack of culpability on anyone's part. To do so, we need to see that even when there is no culpability, there can still be personal antagonism. As he drives toward the child, Larry comes to stand toward her (and her parents) as a kind of innocent threat. Although he is blameless, Larry nevertheless is engaged in action that would, if not stopped, violate or at least infringe upon the child's rights. In such cases, we are entitled to use what would otherwise be wrongful degrees of force in order to impede such a threat. I need not stand passive, for instance, if Bob attacks me in the false but completely reasonable belief that I am about to attack him. Nor would it be wrong for Bob in turn to defend himself against my justified efforts of self-defense (if, for example, he now sees that what he had thought was a rifle in my hand was really just a rake, but can't effectively communicate that realization to me now that I'm actually aiming a rifle at him.) In Williams' example, if the child happened to be carrying a RPG, she might be entitled to fire it at the truck if this was the only way to save her own life, even though the rocket would injure or kill the driver who is not guilty of any wrongdoing.

Such an entitlement would also seem to apply to third-parties, even those without a special attachment to the child. For example, if I'm waiting at a red light and see the running child about to emerge from the parked cars into the path of the truck, I may be entitled to broadside the truck if this is my

¹⁴ In this grief differs from physical pain, which at least calls on us to protect our nurse our bodies in some way, instead resembling despair, or boredom.

only way to stop it, even if I know that the driver is in no way to blame. And just as the child may defend herself from this innocent threat, so too may Larry defend himself against such acts of justified self-defense directed against him. As I start to accelerate toward the truck he may shoot at me in an attempt to save himself; he may even be even entitled to shoot at the child as she shoulders her rocket-launcher.¹⁵

Even if it is obvious to all no one is at fault for this terrible situation, those involved have been thrust into something like a moral state of nature, where the only way to defend one's rights is to violate the rights of someone else. Luck has made the driver and the child's family enemies. Given the exigencies in place, the only way out of this predicament is through force, not reason. Something like this will be the case even when the stakes are not so high. Suppose in the Q & A after a talk, I bring up Williams' truck driver, not knowing that the speaker herself had recently lost a child in just such an accident. I take it that in the speaker would be entitled to cut me off and move on in a way that would otherwise count as very rude (although of course she would not be entitled to shoot me in order to stop my line of questioning). With respect to conversational norms, she can treat me as a kind of innocent attacker, even if I am likewise entitled to press my question despite her efforts to rebuff me.

In these sorts of situations it will often be the case that no one involved has means, opportunity, or even the will to fight things out this way. Nevertheless, bad luck has still thrust these people into a relationship where normal moral constraints no longer hold, even when no one is in a position to take advantage of that fact. The question then arises how, having fallen into something like a moral state of nature, we should emerge from it. Admittedly, ordinary moral norms come back into force once the crisis is over and the damage done. Once the threatening activity ends, the participants return to normal moral space. Even so, there seems to be a need to jointly recognize this change, that is, for all parties involved but to acknowledge that they had been standing in relations of deep if blameless antagonism, but that now they have returned to our shared moral life.

This need is not just a matter of making sure that both sides really do realize that their conflict is over, so that it becomes safe for each to let down their guard. In many cases, it will be obvious to everyone that their conflict has ended. The child has been run over, the truck has stopped, the driver has gotten out of the cab, the police have arrived. If it really is clear that the driver is not at fault, then there is no reason to anticipate further danger from him; after all, he has manifested neither recklessness nor negligence, let alone malign intent. But although the driver and the parents all now that they no longer stand in opposition to one another, and know that the other knows that as well, there may still need to be a shared acknowledgement of that fact, a joint act by which their return to a way of living together is realized and affirmed.

Unfortunately, we have no distinct rituals for making such a joint affirmation. Instead, we extend the rituals of apology and reconciliation past their primary context is dealing with relationships damaged by wrongdoing. For instance, the driver, like someone who is truly repentant, asks for forgiveness and tries to make amends as a way of acknowledging that the parents' were indeed entitled to treat him as an enemy (that is, as if he were in fact a wrongdoer). One thing the driver acknowledges here is that even though is not a proper object of resentment, the parents might still reasonably decline to associate with him with the sort of openness and good-will that we normally expect of one another. That is, he acknowledges that refusal to see him as a possible future friend or intimate is not the wrong that it otherwise would be. They are now entitled (but not required) to treat him in many of the ways that it is appropriate to treat someone who has wronged them, and the driver acknowledges he is not entitled to sorts of protest or reply that would normally be open to a blameless person who is so treated. Despite his lack of culpability, the driver stands toward the parents in much the way that a penitent stands toward those he was wronged, and so it should not be surprising that the rituals of seeking and granting forgiveness would seem apt for expressing this fact, in the absence of any other forms with more precisely calibrated public meaning.

5. Larry's apology in this case differs from a true apology in that it need not express any sort of change of heart, any resolution to act differently in future. If the driver has indeed acted faultlessly, there would be no necessity for any such change. Of course, the driver might resolve to in future hold himself to an even

¹⁵ The example is complicated by the fact that the person originally imperiled is a child. This may introduce new moral considerations that may bear on how we may understand self-defense here.

higher standard of care that can really be required of him; he might, for example, commit himself to level of diligence in maintaining his brakes that would normally taken to be supererogatory. Such resolutions might be expressed in his apologies, but all that is really needed is an expression of both personal and impersonal regret; that is, the wish that the accident had not happened and that he had not been involved with it. In the sense that he must express some sort of resolution, it is one that is inherently singular and retrospective, something along the lines of “would that I could undo this particular thing I have done.”

Although Larry should ask for forgiveness, it is also the case that the parents should respond by telling him that none is needed. Moreover, Larry should be aware of this; that is, he should be asking for forgiveness with the expectation that he will be so absolved, even if he must repeatedly insist on his guilt before he can begin to see himself as free from blame. That he does so does not make his plea insincere, or the interaction between him and the parents a mere pantomime of real reconciliation.

It is often the case that it can be morally important to make an offer even when one knows it will and should be refused. When I eat at an expensive restaurant with my father, I always offer to pick up the check, and usually have a short tug-of-war over it with my father, who always ends up paying. This may indeed be the right outcome, given how much richer my father is than me. I make the offer in the knowledge that my father will and should end up paying. However, this is not just empty show: if my father doesn't insist on paying, I will be surprised and dismayed, but I will pay without protest. This little ritual makes sense as a way that allows both of us to do something we both need to do in this context; to pay for dinner in a way that is fair without humiliating me.

Similarly, the ritual in which Larry asks for forgiveness with the expectation of being exonerated by the parents is not just play-acting, but a social form that allows all of them to do something together that they otherwise would not be able to do: jointly affirm their return to normal moral relations. Larry assumes the posture of the penitent as a way of recognizing how the parents were entitled to see him and his actions; in turn, the parents exonerate Larry as a way of acknowledging they are no longer so entitled to see him this way. If the parents refused to exonerate the driver, then he cannot voice a protest on his own behalf, even though the rest of us might do so. The reason he cannot do so is not because the protest is unjustified, but that the making of it is inconsistent with the submissive posture that he assumes as a repudiation of the antagonism that they had all been forced into.

However, if the parents do not exonerate Larry, it may after some time become appropriate for him to gradually come to exonerate himself. If the parents do not exonerate the driver, despite the passage of time and the cooling of their passions, then it would seem that there really is no longer any realistic hope of coming to any sort of public acknowledgement of the return to ordinary relations. As Larry reaches the point where he should abandon this hope, it no longer makes sense for him to maintain the posture of the penitent that this project required. Agent-regret ceases to be necessary once it becomes clear that it will not eventually be answered with the appropriate sort of response. At that point, there no longer is anything wrong with the Larry being willing to exonerate himself, so that his agent-regret turns in ordinary personal regret.

6. We can now see why agent-regret attaches primarily to our actions, rather than our omissions. Actions and omissions can be equally culpable, and equally occasions for remorse and redress. However, I can find myself in blameless antagonism with another mainly through what creates, sustains, or facilitates a threat that is being presented to someone else. Cases where I find myself in such a relation due to a blameless omission on my part are more unusual, because circumstances would have to be such that someone else would be entitled to force me to do what I am failing to do. This might occur when a doctor, perhaps, refuses to treat someone who he quite reasonably but falsely believes to be shamming illness, or someone won't let me into their house to call an ambulance out of perfectly reasonable fear of being assaulted. The refusal to aid in both cases might be blameless; nevertheless it need not be wrong to force the doctor or the homeowner to help us. If someone ended up dying as a result of their refusal, it does seem appropriate for the doctor or home-owner to feel agent-regret, even though they are neither morally nor causally responsible for that death.

We can also see why we do not have a kind of agent-pride or satisfaction with respect to the unintended good consequences of our actions. Suppose I stop the child in order to ask him some question, and in so doing keep him from being run down. In response, I will not only be glad that this happened, but may also be particularly glad that *I* was the one who inadvertently prevented the accident. These feelings are the converse of impersonal and personal regret, respectively. However it does not seem that I should feel as if I'm entitled to any special acknowledgment from others, let alone their gratitude. This result seems puzzling if the agent-regret is supposed to be a way of acknowledging that the effects of our actions go beyond what we can control. Yet this asymmetry is exactly what we should expect if agent-regret is grounded in our need to affirm our return to normal moral relations after have been set in opposition to one another. When someone unknowingly does something that threatens me, the normal principles of ethical life may no longer hold. This is not what happens, however, when someone unknowingly does something that confers some great benefit on me. In that case, we remain in normal moral relations, and so no sort of special affirmation or recognition of a return to that state is called-for.

8. I have argued people who find themselves thrust into relations of blameless antagonism by bad luck stand in need of a way of jointly affirming when that antagonism is at an end, and that we have extended the forms of apology and reconciliation to serve this purpose in addition their original moral task. However, we might wonder why, we lack some distinct rituals to answer this need for join affirmation. Why press the rituals of contrition and forgiveness into such service, given all the associations of fault and culpability that they invariably carry with them?

Here it is important to remember how difficult it usually is to tell whether an instance of conflict really is blameless or not. For many activities, there are no very clear standards of due care, or of just what constitutes recklessness or negligence. Even when there are such standards, it is very usually very difficult to know with any high degree of confidence that they have been met, and the parties in question can hardly trust themselves to assess this case accurately. Cases that call for only agent-regret will be very difficult to consistently distinguish from ones that call for full remorse. As a result, it will be in practice very difficult to keep our sense of the two kinds of cases sharp, or keep the practices for dealing with each one distinct from one another. Given the coarse-grain of our moral sentiments and the difficulties of moral education, it is hardly surprising that we find ourselves extending and reinterpreting the rituals of blame and forgiveness through this kind of pantomime, rather than come up with a wholly new form of moral exchange. Such new forms might constitute an improvement in ethical life only for beings far more rational than we are or could reasonably hope to become.

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